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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:	§	Attorney Docket No.:
JERRY WALTER MALCOLM	§	AT9-97-314
	§	
Serial No.: 08/909,340	§	Examiner: ANDREW J. RUDY
	§	
Filed: 08/11/1997	§	
	§	
Title: GROUPING SELECTED	§	Group Art Unit: 3627
TRANSACTIONS IN ACCOUNT	§	
LEDGER	§	

APPEAL BRIEF

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal submitted in the above-identified application.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

☐ deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the U.S. Patent and Trademark Office at (571) 273-8300.

2-9-06	Jane Graham
Date	Jane Graham

REAL PARTY IN INTEREST

The real party in interest in the present Application is International Business Machines Corporation, the Assignee of the present application, as evidenced by the Assignment set forth at reel 8749, frame 0649.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, the Appellants' legal representative, or assignee, which directly affect or would be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 1, 4-6, 8, 11, 15, 18, 21, 23, 25 and 26 stand finally rejected as noted by the Examiner's action dated September 6, 2005. Claims 2, 3, 7, 9, 10, 12-14, 16, 17, 19, 20, 22, 24 and 27-29 have been previously canceled.

STATUS OF AMENDMENTS

No amendment to the claims has been submitted subsequent to the final rejection.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention is directed to the problem set forth in the specification at page 1, line 25 *et seq.* That problem exists where an external statement consolidates multiple transactions recorded separately in the user's accounting software. Often a deposit or other financial transaction is entered as multiple separate entries within a user's accounting software ledger. For example, a user with ten checks to deposit will enter the checks individually into the ledger for auditing, tracking, budget management and other reasons. When a deposit is made at the financial institution only one deposit is entered into the records of that financial institution. This creates a problem for subsequent reconciliation attempts.

As illustrated in Figure 1A and as described at page 7 of the specification, line 3 *et seq.*, the method and apparatus of the present invention may be implemented within the internet 106,

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as set forth within Claim 26, utilizing an internet client or user computer, as set forth within Claim 21 and an internet server 110, as set forth within Claim 25.

Greater detail regarding the data processing system utilized to implement computer 102 which may be utilized to process the method of Claim 1 and embody the apparatus of Claim 8 and which accesses computer readable media, as set forth within the computer product which is described within Claim 15, is depicted in Figure 1B.

A pictorial representation of the method, system, computer program product, as well as the internet implementations of the present invention may be seem in Figures 2A and 2B and described at page 9, lines 14 *et seq*. As depicted, a pictorial representation of transaction entries within an account ledger may be provided utilizing accounting software in accordance with a preferred embodiment of the present invention. The view depicted may be employed by the user interface of the accounting package to graphically represent the transaction entries.

In the example depicted within Figure 2A, the display 202 of transaction entries includes column 204 for transaction identifiers, such as check numbers. Column 206 is provided for a description of the transactions, while an amount for each transaction may be entered in column 208. An additional column 210 may display the total for a range of transactions selected, as described herein.

The accounting software of the present invention provides support for "transaction groups," which are user selected groups of multiple transactions for which an association is persistently maintained. In the case of the deposit of multiple checks, for example, the user, when entering the individual checks as transactions in the software accounting ledger, would be aware that all of the checks were going to be deposited at one time at the user's financial institution and would therefore appear on a bank statement as a single entry. The user may therefore "rubber band" 212 the multiple transactions utilizing a click-and-swipe select, or may use any form of multi-select such as clicking on each transaction while holding the CONTROL, ALT or SHIFT key.

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After the user selects the multiple transaction entries expected to appear as a single deposit, the user then actuates a group "Group Selected Entries" option. Actuation of this option would create a persistent association of the transaction records within the accounting software data records utilizing methods well known in the software art. As a specific example, if the accounting software employs an object oriented user interface, a container object may be instantiated to contain the data records associated with the selected transactions. The persistent association of transaction records creates a transaction group having a dual character: it may be treated as a single transaction, with a group transaction total being displayed or otherwise employed, or it may be treated as a plurality of individual transactions, with individual transaction records for each transaction. Treatment of the transaction group may thus be selectively altered depending on which treatment best suits a particular purpose.

Once the transactions have been associated as a group, the accounting software may optionally provide a visual cue to the transaction group, such as the highlighted outline 214 which is depicted within Figure 2B.

High level logic flowcharts which detail the process necessary to implement the example described above are contained within Figures 3, 4A and 4B.

Thus, the method set forth within Claim 1, the apparatus set forth within Claim 8 and the computer program product described within Claim 15 are all illustrated utilizing the process described by the high level flowcharts of Figures 3, 4A and 4B within a data processing system. Further, as illustrated within Figure 1A, that data processing system may be coupled to a server utilizing the internet to implement the internet client, internet server and method over the internet described within Claims 21, 25 and 26.

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GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A.   The Examiner's rejection of Claims 1, 4-6, 8, 11, 15, 18, 21, 23, 25 and 26 as unpatentable under 35 U.S.C. §103(a) over *Campbell*, United States Patent No. 5,749,077 is to be reviewed on this Appeal.

ARGUMENT

In the final rejection dated September 6, 2005 the Examiner has rejected Claims 1, 4-6, 8, 11, 15, 18, 21, 23, 25 and 26 under 35 U.S.C. §103(a) as being unpatentable over *Campbell*, United States Patent No. 5,749,077. That rejection is not well founded and it should be reversed.

The claims in the present application are directed to a method, apparatus, computer program product, internet client, internet server and method performed over the internet for facilitating account statement reconciliation by associating selected transactions within data records within a computer for an account to form a persistent transaction group within account data records where the transaction group may be treated both as a single transaction and as a plurality of individual transactions by a user wherein the selected transactions were paid or deposited together. This language is set forth expressly within Claims 1, 8 and 15.

The internet embodiment of the present invention, as set forth within Claim 21, the internet server embodiment of the present invention set forth within Claim 25 as well as the method implemented within the internet as set forth within Claim 26, also expressly recite the creation of a transaction group record which is persistently maintained wherein the transaction group record includes both a transaction amount for each transaction within the transaction group, together with a transaction group amount equaling the total of the transaction group.

In his rejection the Examiner has cited *Campbell* for its disclosure of a method and apparatus for updating and selectively accessing financial records relating to investments. *Campbell* teaches that the financial transactions have associated therewith data records 104. The Examiner apparently believes that these data records, which consist of dealer information, "may be treated as both a single transaction or a plurality of individual transactions that may be displayed via visual indicators" citing Figures 6 and 7. The Examiner notes that *Campbell* does

not disclosure the term "persistent transaction group" but believes the data records 104 of *Campbell* may be viewed as an official transaction group and suggestive or equivalent thereto.

The dealer information 104 described within the *Campbell* specification at column 3, line 59 *et seq.*, is described as mutual fund dealer information. This information is further described as providing "data for processing regarding new and changed branches 120 over path 122." This information is then utilized, according to *Campbell*, in order to update the stored listing of organization names and locations. Applicant believes that *Campbell* fails to include the slightest scintilla of suggestion for the treating of records 104 as a group of selected transactions within a persistent transaction group wherein the transaction group may be treated "both as a single transaction and as a plurality of individual transactions by a user..." or wherein the transaction group is displayed including a transaction amount "for each transaction within the transaction group, together with a transaction group amount equaling the total for the transaction group."

Further, the Examiner's assertion that this "dealer information" may be treated as both a single transaction or a plurality of individual transactions displayed by visual indicators, as allegedly shown within Figures 6 and 7 is also believed to be without foundation.

For example, Figure 6 is described in *Campbell* at column 12, line 54 *et seq.*, as a user interface screen which is adapted to be employed with respect to obtaining sales information. As noted at column 13, line 8 *et seq.*, block 1108 of the depicted screen "deals with identification of the brokerage firm or dealer or representative involved in handling the transaction." Fields are further provided for insertion of firm identification, location, dealer number, management code, branch code, etc. Nothing within Figure 6 shows or suggests the treatment of data records as a single transaction or a plurality of individual transactions as expressly required by Claims 1, 8 and 15 or as the depiction of a persistent transaction group which includes a transaction amount "for each transaction within the transaction group, together with a transaction group amount equaling the total of the transaction group" as set forth within Claims 21, 25 or 26.

Appellant urges the Board to consider that it is a substantial stretch to presume that a list of brokerage firms or dealers could or would require the display of a "total" for reconciliation in the manner which is expressly set forth within the present specification and claims.

With respect to the Examiner's belief concerning Claim 7 of *Campbell* Applicant notes that Claim 7 is described at column 13, line 39 *et seq.*, as a screen utilized to obtain asset information for a specific date or time. This particular screen displays the identity of a client at reference numeral 1184 and the identity of the business organization information at reference numeral 1182 along with similar location, dealer number, branch codes, etc. in a manner identical to that described above with respect to Figure 6. Nothing within Figure 7 shows or suggests in any way the display of dealer information as a "single transaction and as a plurality if individual transactions by a user."
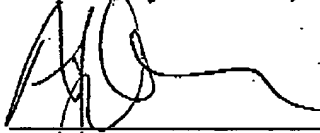
In addressing Applicants remarks during the prosecution of this application the Examiner notes a belief that the claim language "persistent transaction group" does not provide a line of demarcation over on *Campbell* and further notes "the alternative claim language presented by Applicant does not require each alternative claim recitation, only one thereof." Applicant respectfully notes that the claims of the present application do not recite alternatives but rather conjunctives. That is, the claims in the present application do not recite that the transaction group is treated as a single transaction or as a plurality of individual transactions. The claims in the present application are specifically directed to a transaction group which may be treated "**both** as a single transaction **and** as a plurality of individual transactions by a user..." and the Examiner's reliance upon an alleged alternative recitation within these claims is puzzling to the Applicant.

In summary, Applicant urges the Board to consider that there is nothing within the *Campbell* reference which shows or suggests the association of selected transactions within an account to form a persistent transaction group, whether that particular phrase is utilized or not, wherein the transaction group may be treated both as a single transaction and as a plurality of individual transactions and wherein a total for that transaction group is displayed within a computer when the selected transactions within the transaction group are individually displayed.

The failure of *Campbell* to contain even the slightest suggestion for this technique forms the basis for Appellant's respectful request that the Board reverse the Examiner's rejection of Claims 1, 4-6, 8, 11, 15, 18, 21, 23, 25 and 26.

Please charge the fee of $500.00 due for filing this Appeal Brief to **IBM Corporation Deposit Account Number 09-0447.** No extension of time is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM Corporation Deposit Account Number 09-0447.**

Respectfully submitted,

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ATTORNEY FOR APPELLANTS

APPENDIX

1.   A method of facilitating account statement reconciliation, said method comprising the computer implemented steps of:

associating selected transactions within data records within a computer for an account to form a persistent transaction group within the account data records, wherein the transaction group may be treated both as a single transaction and as a plurality of individual transactions by a user, wherein the selected transactions were paid or deposited together; and

displaying within a computer a total for the transaction group when the selected transactions within the transaction group are individually displayed, wherein the total for the transaction group may be readily reconciled with a consolidated entry in an external account statement.

2-3.   canceled

4.   The method of Claim 1, further comprising:

displaying a visual indicator of the association of the selected transactions within and forming the transaction group when the selected transactions within the transaction group are individually displayed.

5.   The method of Claim 1, further comprising:

forming a plurality of transaction groups within the data records for the account; and

displaying a total for each transaction group within the plurality of transaction groups.

6.   The method of Claim 5, further comprising:

identifying unreconciled transactions within data records for the account;

determining whether the unreconciled transactions include at least one transaction from a transaction group; and

reconciling each transaction group containing unreconciled transactions to a corresponding transaction record within the external account statement utilizing the transaction group total.

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7.   canceled

8.   An apparatus for facilitating account statement reconciliation, comprising:

association means for persistently associating selected transactions within data records for an account to form a transaction group which may be selectively treated as a single transaction, wherein the selected transactions were paid or deposited together; and

display means for displaying a total for the transaction group when the selected transactions within the transaction group are individually displayed, wherein the total for the transaction group may be readily reconciled with a consolidated entry in an external account statement.

9-10.   canceled

11.   The apparatus of Claim 8, further comprising:

indication means for displaying a visual indicator of the association of the selected transactions within and forming the transaction group when the selected transactions within the transaction group are individually displayed.

12-14.   canceled

15.   A computer program product for use with a data processing system, comprising:

first instructions on the computer usable medium for associating selected transactions within data records for an account to form a persistent transaction group having a data record distinct from data records for the selected transactions, allowing the transaction group to be selectively treated as a single transaction and as a plurality of individual transactions, wherein the selected transactions were paid or deposited together; and

second instructions on the computer usable medium for displaying a total for the transaction group when the selected transactions within the transaction group are individually displayed, wherein the total for the transaction group may be readily reconciled with a consolidated entry in an external account statement.

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16-17. canceled

18.   The computer program product of Claim 8, further comprising:

third instructions on the computer usable medium for displaying a visual indicator of the association of the selected transactions within the transaction group when the selected transactions within the transaction group are individually displayed.

19-20. canceled

21.   An Internet client, comprising:

a data processing system receiving and transferring data over the Internet; and

records for account transactions stored within the data processing system, the records including at least one transaction group record persistently maintaining an association of records for selected transactions within the account transactions which were paid or deposited together, the at least one transaction group record allowing the selected transactions to be selectively treated as a single transaction and as a plurality of individual transactions, wherein the at least one transaction group record includes

a transaction identifier,

a transaction date,

a transaction description, and

a transaction amount

for each transaction within the transaction group, together with a transaction group amount equaling the total for the transaction group.

22.   canceled

23.   The Internet client of Claim 21, wherein the data processing system further comprises:

means for displaying a visual indicator of the transaction group in a display of the records for the selected transactions.

24.   canceled

25.   An Internet server, comprising:

a data processing system receiving and transferring data over the Internet;

a storage device maintaining account transaction records for an account; and

software operable in the data processing system for:

receiving an external request for transaction records for the account over the Internet;

comparing the external transaction records to the account transaction records, wherein the external transaction records include transaction groups for transactions paid or deposited together, each transaction group including

a transaction identifier,

a transaction date,

a transaction description, and

a transaction amount

for each transaction within the transaction group, together with a total for the transaction group, wherein each transaction group is compared as a single transaction to the account transaction records utilizing the total for the transaction group;

transmitting the account records over the Internet; and

transmitting a signal over the Internet for initiating a determination of whether the account records includes a match to a total for a transaction group.

26.   A method of automatically reconciling account transaction records with user transaction records over the Internet, comprising:

transmitting information regarding an account from a server over the Internet to a user unit;

comparing the information regarding the account to corresponding information from the user transaction records, wherein the user transaction records include transaction group records for transaction groups of selected transactions which were paid or deposited together, each transaction group record including

a transaction identifier,

a transaction date,

a transaction description, and

a transaction amount

for each transaction within the transaction group, together with a total for the transaction group, wherein transaction group records are compared as a single transaction for the total for the transaction group to the information regarding the account;

determining matches between the account information and the user transaction records at the user unit;

identifying transaction groups for which a match to the total for the transaction group by account information is determined; and

altering a state associated with user transaction records for individual transactions within the transactions groups.

27-29. canceled

EVIDENCE APPENDIX

Other than the Office Action(s) and reply(ies) already of record, no additional evidence has been entered by Appellants or the Examiner in the above-identified application which is relevant to this appeal.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings as described by 37 C.F.R. §41.37(c)(1)(x) known to Appellants, Appellants' legal representative, or assignee.

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